

SINGLE BENCH

C. S. 101-

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

WRIT PETITION NO. 3326 OF 2006

PETITIONER

Non-Applicant

Sukhram S/o Sukhsen, ^{aged about 50 years,} R/o
village Dumardih, Tahsil
Ambikapur, District Surguja
C.G.

VERSUS

RESPONDENTS

Applicants

P.R. No. 3386/06
Presented by Shri Mahesh Bidey
dated 6/7/06

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1. Board of Revenue Chattisgarh
Through : The its Secretary
Bilaspur
2. The Collector,
Surguja, District Surguja C.G.
3. Sub Divisional Officer
(Revenue) , Tahsil Ambikapur,
District Suguja C.G.
4. (a) Smt. Gati W/o Late
Jageshar
(b) Smt. Laxmi D/o Late
Jageshar W/o Mansai
(c) Smt. Rampati D/o Late
Jageshar, W/o Badlu
5. Pandara S/o Rupsai Rajwar
6. Raghunandan S/o Rupsai
Rajwar
The respondent no. 4 (a), (b), (c)
and 5 are resident of village
Dumardih and respondent no.
6 is resident of village Tirkotga,
Tahsil Ambikapur, District
Surguja C.G.

WRIT PETITION UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA FOR ISSUE OF AN

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3326 of 2006

Petitioner

Sukhram

Versus

Respondents

Board of Revenue
Chhattisgarh & others

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Shri Rakesh Pandey, Advocate for the petitioner.

Shri N.K. Agrawal, Deputy Government Advocate for the
respondents No. 2 and 3.

ORAL ORDER

(27th July, 2006).

1. The present writ petition filed under Article 227 of the Constitution of India impugns the order dated 14.03.2006 (Annexure P/1) passed by the Board of Revenue in ~~Review~~ Revision Case No. 13/A-23/2004-05 whereby the Board of Revenue after having considered the facts of the case found that the Sub Divisional Officer, Ambikapur has not appreciated all the facts and evidence of the case properly. Accordingly, the Revision was allowed partly and the matter was remanded back to the Sub Divisional Officer, Ambikapur to consider and decide the disputes after affording an opportunity of hearing to both the parties on merit, in accordance with law.
2. I have heard learned counsel for the parties and I have gone through the records appended to the petition. It is not found that there is any infirmity or illegality in the order passed by the Board of Revenue, so as to warrant

interference by this Court in exercise of its power under Article 227 of the Constitution of India.

3. Accordingly, this petition is dismissed. However, in the facts and circumstances of the case, the status-quo with regard to possession of the land in dispute, as obtained today shall be maintained, till disposal of the case by the Sub Divisional Officer, Ambikapur. The Sub Divisional Officer, Ambikapur is directed to dispose of this matter within a period of three months from the date of receipt/production of a copy of this order. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu